

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

THOMAS LIDDELL,

Plaintiff,

v.

DAVID BREEN, et al.,

Defendants.

Civil Action No. 17-12841 (SDW) (LDW)

**ORDER**

October 15, 2018

**THIS MATTER** having come before the Court by way of Plaintiff Thomas Liddell's Motion for Default Judgment as against Defendant David Breen, and this Court having carefully reviewed and considered Plaintiff's submissions, and

**WHEREAS** pursuant to Federal Rule of Civil Procedure 55, a party must first seek entry of default from the Clerk of Court before applying for a default judgment; and

**WHEREAS** Plaintiff has not sought entry of default from the Clerk of Court before filing the instant motion;

**IT IS, on this 15<sup>th</sup> day of October, 2018,**

**ORDERED** that Plaintiff Thomas Liddell's Motion for Default Judgment (Dkt. No. 55) is **DENIED** without prejudice.

**SO ORDERED.**

/s/ Susan D. Wigenton  
**Hon. Susan D. Wigenton**  
**United States District Judge**

Orig: Clerk  
cc: Leda Dunn Wettre, U.S.M.J.  
Parties